

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

Kevin Turner and Shawn Wooden,  
*on behalf of themselves and  
others similarly situated,*

Plaintiffs,

v.

National Football League and  
NFL Properties LLC,  
successor-in-interest to  
NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**CO-LEAD CLASS COUNSEL'S MOTION TO STRIKE OR DISREGARD  
ALEXANDER OBJECTORS' UNAUTHORIZED SUR-REPLY  
"RESPONSE AND OBJECTION" TO FEE PETITION REPLY PAPERS  
OR, ALTERNATIVELY, TO ACCEPT CLASS COUNSEL'S SUR-SURREPLY**

Co-Lead Class Counsel respectfully move to have the Court strike from the record or to disregard the Alexander Objectors' April 21, 2017 "Response and Objection to Supplemental Evidence Offered in Co-Lead Class Counsel's Omnibus Reply in Opposition to Co-Lead Class Counsel's Petition for an Award of Attorneys' Fees Reimbursement of Costs and Expenses, Adoption of a Set-Aside of Each Monetary Award Derivative Claimant Award, and Case Contribution Awards for Class Representatives" (ECF No. 7533), including the accompanying Declaration of Jamshid Lotfi, M.D., FRCP (London) (ECF No. 7533-1) (collectively, the

“Response and Objection Sur-Reply”). The Response and Objection Sur-Reply was filed, without prior leave of this Court, eleven days after the close of briefing (in accordance with the schedule set forth in the Court’s March 8, 2017 Order [ECF No. 7261]) on Co-Lead Class Counsel’s petition for an award of fees and reimbursement of expenses (ECF No. 7151) (“Fee Petition”).

In the alternative, Co-Lead Class Counsel respectfully request that the Court accept, as Class Counsel’s sur-surreply, the substantive response to the unauthorized Response and Objection Sur-Reply that is set forth in Section II.B of the accompanying memorandum of law) in order to cure the prejudice that would otherwise result from the Alexander Objectors slipping in the last word on the Fee Petition.

The reasons supporting the instant motion are more fully set forth in the accompanying memorandum of law. A proposed Order is submitted herewith.

Dated: May 5, 2017

Respectfully submitted,

/s/ Christopher A. Seeger  
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*Co-Lead Class Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served on all counsel of record via the Court's ECF system on May 5, 2017.

/s/ Christopher A. Seeger  
Christopher A. Seeger